

## JOURNAL OF THE HOUSE.

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Thursday, September 12, 2013.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Donato) the members, guests and employees joined with him in reciting the pledge of allegiance to the flag. Pledge of  
allegiance.

### *Silent Prayer.*

At the request of Mr. Rushing of Boston and Ms. Fox of Boston, the members, guests and employees stood in a moment of silent tribute to the memory of Joyce Foster of Boston, who passed away on August 10, 2013, surrounded by her sons, Pacey, Matt and Ned Foster. Ms. Foster served the Fenway and Roxbury communities of Boston as an advocate for economic and social justice. Ms. Foster owned a consulting company for twenty years, through which she worked with business, non-profit and academic institutions. She devoted her retirement to service to her community. As a board member for the Fenway Community Development Corporation, Ms. Foster worked tirelessly to preserve affordable housing in the Fenway and Lower Roxbury. Beginning in 2005, Ms. Foster served on the Northeastern University Community Task Force, through which she worked to ensure that the university maintained a regular dialogue with its surrounding neighborhoods regarding the university's impact on those communities. Determined that her community should have a voice, Ms. Foster served for several years as president of the board of the Fenway News. The Fenway Community Development Corporation described Ms. Foster as "a force of nature".

Joyce  
Foster of  
Boston.

### *Motion to Suspend Rule 24(2).*

Mr. Winslow of Norfolk then moved that Rule 24(2) be suspended so that he might offer, from the floor, the following order:—

*Ordered,* That the Rules of the House of Representatives be amended, in House Rule 12, in line 154, by striking the words "formal session" and inserting in place thereof the word "sessions"; in lines 169 and 170, by striking the sentence "The Clerk shall dispense with preparing and making available a Calendar for designated Informal Sessions of the House."; in lines 171 through 174, inclusive, by striking the sentence "As soon as practicable whenever the Clerk prepares a Calendar or advance Calendar under this rule, he also shall cause a true copy thereof to be posted on the Legislative Web Page that is generally available to all members and their staff, and reasonably promptly thereafter he shall cause the members and their staff to be notified of the same by way of electronic mail.", and inserting in place thereof, the following:—

House  
Rules.

"Whenever the Clerk prepares a Calendar or advance Calendar under this rule, he also shall cause a true copy thereof, including

House Rules.

hyperlinks to all items contained therein, to be posted on the Legislative Web Page that is generally available to all members and their staff, and reasonably promptly thereafter he shall cause the members and their staff to be notified of the same by way of electronic mail, but by no later than a half an hour preceding the start of an informal or formal session of the House.”; and by adding at the end of said rule the following paragraph:

“Not less than 15 minutes prior to the convening of each session, the Clerk shall also make available by electronic mail transmission to all members of the House and legislative staff a list of all miscellaneous papers to be considered during that session including, but not limited to, reports of committees, engrossed bills, messages from the Governor and papers from the Senate.”.

The motion to suspend Rule 24(2) was negatived; and the order (House, No. 3646) was referred, under said rule, to the committee on Rules.

*Resolutions.*

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Brockton,—  
Sons of  
Italy.

Resolutions (filed by Representatives Brady of Brockton, Canavan of Brockton and Cronin of Easton) honoring the Brockton chapter of the Order Sons of Italy in America, Christopher Columbus Lodge #216 on the occasion of its one hundredth anniversary;

Stoneham  
Strong  
Fund.

Resolutions (filed by Mr. Lewis of Winchester) commending the people of the town of Stoneham on the success of the Stoneham Strong Fund;

Raymond V.  
Mariano.

Resolutions (filed by Representatives Mahoney of Worcester, Binienda of Worcester, Keefe of Worcester and O’Day of West Boylston) congratulating Raymond V. Mariano on being named the 2013 Worcester Columbus Day Parade Grand Marshall; and

Genevieve  
Wojciechowski.

Resolutions (filed by Mr. Roy of Franklin) congratulating Genevieve Wojciechowski on the occasion of her one hundredth birthday;

Mr. Binienda of Worcester, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Koczera of New Bedford, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

*Communications.*

Communications

Capital  
Resource  
Company.

From the Massachusetts Capital Resource Company (under Section 12 of Chapter 816 of the Acts of 1977) submitting an annual report describing the formation and current status of said company [a copy of said report was forwarded to the Speaker of the House of Representatives, as required by said law]; and

Commission on  
the Status of  
Women.

From the Commission on the Status of Women (under Section 66 of Chapter 3 of the General Laws) submitting its annual report for the fiscal year 2013 and the results of its findings and activities of the preceding year;

Severally were placed on file.

*Special Report.*

A report of the Department of Transportation Rail & Transit Division (under Section 79 of Chapter 46 of the Acts of 2013) on revenues collected through the use of sponsorship agreements, was placed on file. DOT,— sponsorship report.

*Petitions.*

Petitions severally were presented and referred as follows:

By Mr. Collins of Boston, a petition (subject to Joint Rules 12 and 7B) of Nick Collins relative to priority one emergency calls in the city of Boston. Boston,— emergency calls.

By Mr. Curran of Springfield, a petition (subject to Joint Rule 12) of Sean Curran for an investigation and study of the feasibility and benefits of a Hampden County district courthouse in the city of Springfield. Springfield,— courthouse.

By Mr. Cusack of Braintree, a petition (subject to Joint Rule 12) of Mark J. Cusack, Steven M. Walsh and Jennifer E. Benson relative to the substitution of interchangeable biosimilars. Biosimilars.

By Mr. Stanley of Waltham, a petition (subject to Joint Rule 12) of Thomas M. Stanley, Michael Barrett and John J. Lawn, Jr., for legislation to establish a sick leave bank for Robert K. Barry, an employee of the Executive Office of Health and Human Services. Robert K. Barry,— sick leave.

Severally, under Rule 24, to the committee on Rules.

*Papers from the Senate.*

A Bill providing for the recall of elected officials in the town of Ipswich (Senate, No. 1801, amended in section 1, in line 9, by inserting after the word “felony” the words “while in office”, in line 10, by inserting after the word “Laws” the words “, while in office”, in line 12, by striking out the words “while presently in office”, and, in line 82, by striking out the following: “within 3 months after taking” and inserting in place thereof the following: “not sooner than 3 months after such official takes”) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Ipswich,— recall elections.

Mr. Kafka of Stoughton, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of rules, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

Petitions severally were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 1862) of Katherine M. Clark and Paul Brodeur for legislation to establish a sick leave for Marianne McVarish, an employee of the Department of Public Health. Marianne McVarish,— sick leave.

Petition (accompanied by bill, Senate, No. 1863) of Michael O. Moore for legislation to establish a sick leave bank for Tina Giangregorio, an employee of the highway division of the Massachusetts Department of Transportation. Tina Giangregorio,— sick leave.

Severally to the committee on Public Service.

Petition (accompanied by bill, Senate, No. 1864) of Michael F. Rush, Edward F. Coppinger, Walter F. Timilty, Thomas P. Kennedy and other members of the General Court for legislation to designate a certain bridge in the city of Boston, The Brigadier General William J. Gormley III bridge. To the committee on Transportation. Brigadier General William J. Gormley III bridge.

*Reports of Committees.*

Greater  
Haverhill  
Foundation.

By Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rules 12 and 9 be suspended on the petition of Brian S. Dempsey relative to the incorporation of the Greater Haverhill Foundation. Under suspension of the rules, on motion of Mr. Smizik of Brookline, the report was considered forthwith. Joint Rules 12 and 9 were suspended; and the petition (accompanied by bill) was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

West Boylston,—  
housing.

By Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Petition (accompanied by bill) of James J. O'Day (by vote of the town) relative to affordable housing in the town of West Boylston.

Affordable  
housing.

Petition (accompanied by bill) of James J. O'Day relative to the calculation of affordable housing units by municipalities.

Severally to the committee on Housing.

West  
Barnstable,—  
Whelden  
Library.

Joint petition (accompanied by bill) of Randy Hunt and Daniel A. Wolf that the West Barnstable Fire District be authorized to fund library services for the Whelden Memorial Library. To the committee on Municipalities and Regional Government.

Somerville,—  
Mario  
Oliveira.

Joint petition (accompanied by bill) of Denise Provost and others (with the approval of the mayor and city council) that the city of Somerville be authorized to retire Mario Oliveira, a police officer of said city. To the committee on Public Service.

Medford,—  
land.

Joint petition (accompanied by bill) of Paul J. Donato and Patricia D. Jehlen for legislation to authorize the Division of Capital Asset Management and Maintenance to convey a certain parcel of land to the city of Medford for municipal purposes. To the committee on State Administration and Regulatory Oversight.

Revere,—  
Rita Singer  
bridge.

Petition (accompanied by bill) of Kathi-Anne Reinstein, Robert A. DeLeo and Anthony W. Petrucci for legislation to designate a certain bridge in the city of Revere as the Rita Singer bridge. To the committee on Transportation.

Under suspension of the rules, on motion of Ms. Dykema of Holliston, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Center for  
the book.

By Ms. Peisch of Wellesley, for the committee on Education, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3292) of Kate Hogan and others relative to the Massachusetts center for the book,— and recommending that the same be referred to the committee on Tourism, Arts and Cultural Development. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Gaming,—  
Tribal-State  
Compact.

By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on a message from His Excellency the Governor, that the communication submitting to the General Court for approval, the Tribal-State Compact between the

Mashpee Wampanoag Tribe and the Commonwealth of Massachusetts (printed in House, No. 3375), be placed on file. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on a message from His Excellency the Governor, a Resolve relating to the Tribal-State Compact between the Mashpee Wampanoag Tribe and the Commonwealth of Massachusetts (printed in House, No. 3376). Gaming,—  
Tribal-State  
Compact.

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, Nos. 2617, 2709 and 2714, a Bill relative to sales and excise tax exemptions for disabled veterans (House, No. 2617). Disabled  
veterans,—  
taxes.

By the same member, for the same committee, on House, No. 2523, a Bill allowing disabled veterans and prisoners of war who lease motor vehicles to be exempt from excise tax (House, No. 3645). Id.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the following bills be scheduled for consideration by the House:

Senate bills

Relative to the charter of the town of Rockland (Senate, No. 1798) Rockland,—  
charter.  
[Local Approval Received]; and

Establishing a sick leave bank for Jeanette Cruz, an employee of the Department of Unemployment Assistance (Senate, No. 1852, amended); Jeanette  
Cruz,—  
sick leave.  
and

Relative to shellfish reporting (House, No. 776); Shellfish.

Relative to a form of governance for the Boston Housing Authority (House, No. 1117) [Local Approval Received]; Boston Housing  
Authority.

Relative to manslaughter (House, No. 1534); Manslaughter.

Repealing the law authorizing the town of Lincoln to grant a license for the sale of wines and malt beverages to be drunk on the premises (House, No. 3527) [Local Approval Received]; Lincoln,—  
liquor  
license.

Authorizing the town of Lincoln to grant a license for the sale of wines and malt beverages to be drunk on the premises (House, No. 3531) [Local Approval Received]; Id.

Relative to the granting of special licenses for the sale of alcoholic beverages in the town of Lincoln (House, No. 3532) [Local Approval Received]; Id.

Regulating residential paving (House, No. 3612); Paving.

Relative to time share resale and transfer of service providers (House, No. 3613); Time shares.

Establishing a sick leave bank for April D. Robinson, an employee of the Department of Developmental Services (House, No. 3628); April Robinson,—  
sick leave.

Validating the results of the annual town meeting of the town of Reading held on April 22, 2013 (printed in House, No. 3629); Reading,—  
town meeting.

Establishing a sick leave bank for Kristin Cole, an employee of the department of corrections (House, No. 3632); and Kristin Cole,—  
sick leave.

Establishing a sick leave bank for Donna Salois, an employee of the Wrentham Development Center (House, No. 3635) [Local Approval Received]; Donna Salois,—  
sick leave.

Under suspension of Rule 7A, in each instance, on motion of the same member, the bills were read a second time forthwith; and they were ordered to a third reading.

*Engrossed Bills.*

Engrossed bills

Bills enacted.

Providing for rent regulation and control of evictions in mobile home park accommodations in the town of Easton (see House, No. 1106);

Designating a certain bridge in the city of Fitchburg as the George J. Bourque Memorial Bridge (see House, No. 3042);

Authorizing the town of Sunderland to continue the employment of Richard E. Dickinson as a call firefighter (see House, No. 3286);

Providing for rent regulations and the control of evictions in manufactured housing communities in the town of Acushnet (see House, No. 3458);

Authorizing the town of Fairhaven to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 3604); and

Authorizing the town of Weston to grant a license for the sale of wines and malt beverages at a food store (see House, No. 3610);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

*Orders of the Day.*

Senate bills

Third reading bills.

Limiting the number of terms served by the president of the city council of the city of Holyoke (Senate, No. 956) (its title having been changed by the committee on Bills in the Third Reading);

Further regulating dogs in the town of Wareham (Senate, No. 965);

Establishing a sick leave bank for Kathleen Meinhofer, an employee of the Department of Children and Families (Senate, No. 1285, amended); and

Authorizing the town of Nahant to issue certain bond anticipation notes (Senate, No. 1786);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed, in concurrence.

House bills

Id.

Authorizing the town of Westborough to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3471, changed) (its title having been changed by the committee on Bills in the Third Reading);

Relative to the disposal of property known as the Noboscot Chapel in the town of Framingham (House, No. 3512);

Authorizing the town of Concord to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 3615); and

Authorizing the town of Natick to grant a license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3616) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

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The House Bill authorizing the town of Norfolk to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 307) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Norfolk,—  
liquor  
license.

Pending the question on passing the bill to be engrossed, Mr. Winslow of Norfolk moved to amend it by adding the following section:

“SECTION 2. This act shall take effect upon its passage.”.

The amendment was adopted; and the bill (House, No. 307, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill providing for recall elections in the town of Middlefield (House, No. 3495), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Middlefield,—  
recall  
elections.

Pending the question on passing the bill to be engrossed, Mr. Kulik of Worthington moved to amend it in section 3, in lines 31 and 32, by striking out the words “town clerk’s certificate” and inserting in place thereof the words “board of selectmen’s order”.

The amendment was adopted; and the bill (House, No. 3495, amended) was passed to be engrossed. Sent to the Senate for concurrence.

*Order.*

On motion of Mr. DeLeo of Winthrop,—

*Ordered,* That when the House adjourns today, it adjourn to meet on Monday next at eleven o’clock A.M.

Next  
sitting.

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At twenty-seven minutes before twelve o’clock noon, on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o’clock A.M., in an Informal Session.